



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Application of Karali, et al

Application No. 09/874,504

Group Art Unit: 1614

Filed: June 5, 2001

For: Cyclooxygenase-2 Inhibitor Compositions
 Having Rapid Onset of Therapeutic Effect

Commissioner for Patents
 Washington, D.C. 20231

Sir:

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PETITION UNDER 37 C.F.R. §1.47(a)

This is submitted as a petition under 37 C.F.R. 1.47(a) requesting that the above-identified application for patent be made by joint inventors signing the enclosed declarations on behalf of themselves and on behalf of a nonsigning inventor, Subhash Desai, Ph.D., who refuses to join in the application. The enclosed declaration is signed by all the available joint inventors with the signature block of the nonsigning inventor left blank which is treated as having been signed by all available joint inventors on behalf of the nonsigning inventor as set forth in M.P.E.P. § 409.3(a)(A). The pertinent facts are as set forth in the accompanying Declaration in Support of Petition by Mr. Steven J. Sarussi and the last known address of the nonsigning inventor, Subhash Desai, Ph.D., is 1011 Greenwood Avenue, Wilmette, Illinois, 60091.

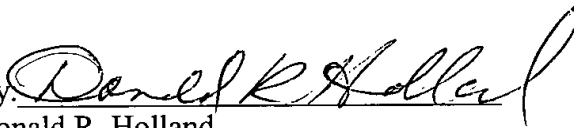
The facts, in pertinent part as set forth in the Declaration, are as follows. A copy of U.S. Application Serial No. 09/874,504 naming Subhash Desai, Ph.D as one of the joint inventors was provided to Dr. Desai on August 13, 2001. Dr. Desai raised questions concerning the naming of inventors in the application which was discussed with him over the subsequent months. On February 4, 2002, Dr. Desai orally stated to Mr. Sarussi that he would not sign the Declaration/power of Attorney for the application and he continues

to refuse to sign. The reason for his refusing to sign is that Dr. Desai does not believe that Fred Hassan and James C. Forbes should be named as inventors on the Declaration/Power of Attorney.

It is, hereby, requested that the signing of the enclosed Declaration by all available joint inventors be accepted as execution on behalf of the nonsigning inventor Subhash Desai, Ph.D.

Respectfully submitted,

By:



Donald R. Holland

Reg. No. 35,197

Harness, Dickey & Pierce

7700 Bonhomme, Suite 400

St. Louis, MO 63105

(314) 726-7500

(314) 726-7501 FAX

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